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2828

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**TRANSMITTAL
FORM**

Application Serial Number	09/822,045
Filing Date	March 30, 2001
First Named Inventor	Sousa
Group Art Unit	2828
Examiner Name	Cornelius H. Jackson
Attorney Docket No.	PTK-194
Patent No.	Not applicable
Issue Date	Not applicable

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <ul style="list-style-type: none"> <input type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form 	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application	<input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Response <ul style="list-style-type: none"> <input type="checkbox"/> Preliminary <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets _____] 	<input type="checkbox"/> Formal Drawing(s)	<input type="checkbox"/> Appeal Brief (in triplicate)
	<input type="checkbox"/> Request For Continued Examination (RCE) Transmittal	<input type="checkbox"/> Status Inquiry
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	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8
<input type="checkbox"/> Petition for Extension of Time	<input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application	<input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8
<input type="checkbox"/> Information Disclosure Statement <ul style="list-style-type: none"> <input type="checkbox"/> Form PTO-1449 <input type="checkbox"/> Copies of IDS Citations 	<input type="checkbox"/> Small Entity Statement	<input type="checkbox"/> Additional Enclosure(s) (please identify below)
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD(s) for large table or computer program	
<input type="checkbox"/> Sequence Listing submission <ul style="list-style-type: none"> <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above 	<input type="checkbox"/> Amendment After Allowance	
	<input type="checkbox"/> Request for Certificate of Correction <ul style="list-style-type: none"> <input type="checkbox"/> Certificate of Correction (in duplicate) 	

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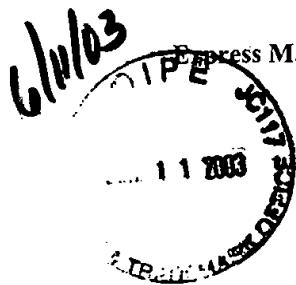
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PATENT
Attorney Docket No. PTK-194
#9/B

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Sousa and Stoltz
SERIAL NO.: 09/822,045 GROUP NO.: 2828
FILING DATE: March 30, 2001 EXAMINER: Cornelius H. Jackson
TITLE: Mode-Limiting Diode Laser Structure

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

AMENDMENT AND RESPONSE

This paper is submitted in response to the Office action mailed from the Patent Office on March 13, 2003. Applicants respectfully request that the remarks that follow be considered and that the rejections made in the Office action be withdrawn. Applicants believe that no fees are due. Should Applicants be in error, and additional time for responding to this Office action is required, please consider this paper as a conditional petition for an extension of time and conditional authorization to charge fees to Deposit Account No. 20-0531.

AMENDMENT

In the Claims

Claims 1-8 are currently in prosecution. Please amend claim 1 as follows (a marked-up version of the amended claim is attached at the end of this Amendment and Response):

1. (TWICE AMENDED) A diode laser comprising:

a. a plurality of semiconductor layers including a top layer, a bottom layer, and an intermediate emission layer, the top layer including a ridge formed on a top surface thereof and extending to a first edge of the top layer, the layers each having a refractive index associated therewith, the refractive index of the emission layer differing from the refractive indices of the top and bottom layers;

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